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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

DUPRAY

Serial No.: 09/176,587

Filed: October 21, 1998

Atty. File No.: 1005-DJD

For: "A WIRELESS LOCATION SYSTEM  
FOR CALIBRATING MULTIPLE  
LOCATION ESTIMATORS"

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Adjustment date: 11/17/2003 AKELLEY  
05/30/2001 HYUSUF2 00000148 09176587  
01 FC:243 -620.00 OPAdjustment date: 11/12/2003 AKELLEY  
06/24/2003 SLUANG2 00000002 09176587  
01 FC:1506 -20.00 OP

Dear Sir:

The above-identified patent application was unintentionally abandoned. Subsequently, on

December 17, 2002, a Petition to Revive an Unintentionally Abandoned Application Under 37 C.F.R. 1.137(b) was filed. A Decision on Petition was mailed on May 7, 2003, indicating that the Petition was dismissed. In the Decision on Petition (enclosed herewith), it states that "The instant petition lacks item (1)." The Decision on Petition then goes on to state that the Notice of Allowance and Issue Fee Due that had previously been paid on May 29, 2001 of \$620.00 is now insufficient for paying a subsequent issue fee due on the same application of \$640.00. It is believed that the above quote of "The instant petition lacks item (1)" relates to this insufficiency in funds for paying the issue fee. Accordingly, since the Applicant was given two months to reply and thereby correct the deficiency of \$20.00 in the Notice of Allowance and Issue Fee Due, enclosed herewith is the check for the additional \$20.00.

) Group Art Unit: 3662

) Examiner: Dao Phan

) REQUEST FOR RECONSIDERATION OF  
)PETITION UNDER 37 C.F.R. 1.137(b))"EXPRESS MAIL" LABEL NUMBER: EV 331284950 US  
DATE OF DEPOSIT: June 17, 2003I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
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UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
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1450, ALEXANDRIA, VIRGINIA 22313-1450.

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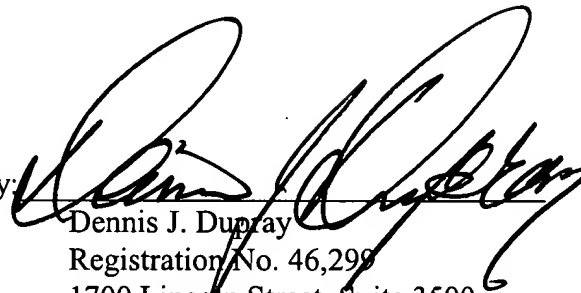
OFFICE OF PETITIONS

*Application No. 29/140,467*

It is believed that no additional fees are due with this request. However, if further fees are due, please contact the undersigned Applicant at (303) 863-2975.

Respectfully submitted,

By:



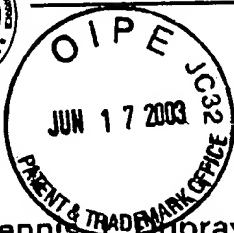
Dennis J. Dupray  
Registration No. 46,298  
1700 Lincoln Street, Suite 3500  
Denver, Colorado 80203  
(303) 863-9700

Date:

*June 16, 2003*



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P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.USPTO.govDennis J. Dupray  
1801 Belvedere Street  
Golden, CO 80401

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In re Application of  
Dennis J. DUPRAY  
Application No. 09/176,587  
Filed: October 21, 1998  
Attorney Docket No. 1005-DJDDECISION  
ON PETITION  
37 CFR 1.137(b)

This is a decision on the petition filed December 17, 2002, under 37 CFR 1.137(b), to revive the above-identified application.

The petition is DISMISSED.

Applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.137(b)". Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c).

The instant petition lacks item (1).

The instant application became abandoned for failure to timely submit the Issue Fee required by the Notice of Allowance and Issue Fee Due mailed on July 29, 2002. In particular, petitioner failed to return the issue fee transmittal (Form PTO-85b), or an equivalent thereof, requesting reapplication of the previously paid issue fee, submitted May 29, 2001, toward payment of the issue fee required by the new Notice of Allowance and Issue Fee Due, mailed July 29, 2002. By way of submission of the form PTOL-85b with the instant petition, petitioner now requests that the issue fee submitted May 29, 2001 be applied toward the outstanding issue fee due. However, the record reflects that the issue fee submitted May 29, 2001 was paid in the amount of \$620. Petitioner is advised that at the time of filing the instant petition, the issue fee due was \$640. Therefore, the instant petition cannot be granted at this time because petitioner did not

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Application No. 09/176,587

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provide herewith the outstanding \$20 balance of the issue fee required by 37 CFR 1.18(b) or authorization to charge a deposit account therefor.

Further correspondence with respect to this matter should be addressed as follows:

**By mail:** Mail Stop PETITION  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**By hand:** Crystal Plaza Four, Suite 3C23  
2201 South Clark Place  
Arlington, VA 22202

**By Fax:** (703) 308-6916  
ATTN: Office of Petitions

Inquiries regarding this communication may be directed to the undersigned at (703) 308-3865.

BethAnne Dayoan  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

**Adjust RAM Sale/Item**

Adjustment Reason: **CHANGING ENTITY STATUS**

Sale Ref.: 05/30/2001 MYUSUF2 148 Status: Active

Mailroom Date: 05/29/2001 Type: 1 Name/Number: 09176587 Attorney Docket No: 1005-DJD

No	Fee	St	Name/Number	Fee Amount	Qty	Partial	Extended Amount	D
R	242	A	09176587	620.00	1	F	620.00	

Total Amount to Credit: \$620.00

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Accounting Date


☒ Name/Number:  09176587
Starts: Ends: 
☐ Attny Docket No.: 
☐ Deposit Account No.: 

Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acc
01/04/2002	AKELLEY	42	SALE	122	A	130.00	09176587	191970
05/30/2001	MYUSUF2	259	SALE	242	A	620.00	09176587	
12/27/2000	SLUANG1	6	SALE	279	A	355.00	09176587	
08/07/2000	SLUANG1	169	SALE	279	A	345.00	09176587	
12/29/1999	DVUONG	264	SALE	203	A	144.00	09176587	
12/29/1999	DVUONG	263	SALE	202	A	273.00	09176587	
12/29/1999	DVUONG	262	SALE	231	A	380.00	09176587	
10/26/1999	MTHAI1	301	SALE	581	A	40.00	09176587	
01/05/1999	TNGUYEN	177	SALE	201	A	380.00	09176587	
01/05/1999	TNGUYEN	176	ADJ	197	A	-380.00	09176587	
12/21/1998	TNGUYEN	42	SALE	197	R	380.00	09176587	

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